THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8745 OF 2006

13th JUNE, 2006

BETWEEN

Kurikala Ravinder Rao

… Petitioner

vs.

The Secretary, Government of A.P., Revenue Department,

Secretariat, Hyderabad and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8745 OF 2006

ORDER:

The petitioner inherited a part of the land in Survey No.359/I admeasuring about Acs.419.24 guntas of land situated at Laxmidevpet village, Venkatapur Mandal in Warangal District belonging to one Kurikela Gopal Rao. The petitioner is grandson of Kurikela Gopal Rao. The Government of Andhra Pradesh proposed to

acquire the land for laying a pipeline of Devadula project. In that connection, the petitioner made an application to the second respondent, namely, the District Collector, on 22.04.2006 requesting for certified copies of the documents. The petitioner alleges that the fifth respondent orally informed him that the copies of the documents he sought for cannot be supplied as the respondents are initiating steps for correcting the errors that have crept in the draft declaration published under Section 4(1) of the Land Acquisition Act, 1894. Therefore, the petitioner has filed the present writ petition questioning the proceedings for acquiring the land in survey No.359/I of Laxmidevpet village. The petitioner prays for a direction to the respondents not to proceed with the acquisition unless and until certified copies of the documents are furnished to the petitioner.

The matter was listed initially on 26.04.2006. To enable the learned Assistant Government Pleader for Revenue (General) to get instructions in the matter, the same was adjourned. Again when the matter was listed on 05.06.2006, a request was made for taking instructions. In spite of granting sufficient time, the learned Assistant Government Pleader could not get instructions.

The limited prayer made by the learned counsel for the petitioner is a direction to the respondents to furnish the certified copies of the documents he sought for. According to the learned counsel, unless and until the documents, which the petitioner sought for are supplied, he would not be in a position to effectively put in objections to the acquisition and/or claim compensation.

At this stage, on *prima facie* consideration, there cannot be any dispute that the petitioner claims as a person having a share in the entire extent of land in survey No.359/I of Laxmidevpet village. Therefore, he is naturally entitled to claim compensation. Unless and until, the owner of the land is aware as to the extent of the land that is being acquired, he will not be able to effectively object to the acquisition or claim compensation. Therefore, the second respondent may look into the application made by the petitioner on 22.04.2006 and pass appropriate order. If, for any reason, the second respondent is not inclined to furnish certified copies, he may do so by passing appropriate order with reasons. This order shall be complied with within a period of two weeks from the date of receipt of this order.

The writ petition is accordingly disposed of. No costs.

_____

(V.V.S.RAO,J)

13.06.2006

pln

Note: Issue certified copy by 16.06.2006.

(By order)

pln